

Notice of Allowability

Application No.

10/748,612

Examiner

Anastasia Midkiff

Applicant(s)

HOFFMAN, DAVID MICHAEL

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant Response dated 10 February 2006.
2. ☒ The allowed claim(s) is/are 1-19 and 21-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>06 April 2006</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William J. Zychlewicz, Reg. No. 51,366, on 06 April 2006. The application has been amended as follows:

IN THE CLAIMS:

Claim 1, Line 5, before the phrase, "and a radiation source" add the phrase --
,said z-axis direction being along a scanning direction of a longitudinal axis of a
patient,--

Claim 9, Line 5, before the phrase, "and a radiation source" add the phrase --
,said z-axis direction being along a scanning direction of a longitudinal axis of a
patient,--

Claim 13, Line 5, after the phrase, "along a z-axis" add the phrase --,said z-axis
direction being along a scanning direction of a longitudinal axis of a
patient,--

Claim 13, Line 12, replace "in the z-axis direction" with --in said z-axis direction--

Claim 21, Line 5, after the phrase, "along a z-axis" add the phrase --,said z-axis direction being along a scanning direction of a longitudinal axis of a patient,--

Claim 21, Line 12, replace "in the z-axis direction" with --in said z-axis direction--

Response to Arguments

In light of the current Examiner's Amendment, Applicant's arguments, see Applicant Response filed 10 February 2006, with respect to Claims 1-19 and 21-24 have been fully considered and are persuasive. The rejections of claims 1-19 and 21-24 have been withdrawn.

Allowable Subject Matter

Claims 1-19 and 21-24 allowed as amended above.

The following is an examiner's statement of reasons for allowance:

With respect to independent Claims 1, 9, 13, and 21, the best prior art of record teaches many of the claimed elements of the invention, including an apparatus for CT imaging, and method for its use, wherein said apparatus comprises a radiation source on a rotating gantry having a focal beam spot; a plurality of detector arrays arranged

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along a z-axis and configured to detect radiation from said radiation source passing through an object to be imaged, said z-axis direction being along a scanning direction of a longitudinal axis of a patient; apparatus configured to: scan an object in a helical and/or multi-slice mode; control a wobble of the focal spot of the source during said scanning to selectively illuminate individual detector arrays for each view; pulse the radiation source so that the source is off when the focal spot is wobbled between positions; and collect data from each detector array for each view only when detector array for which data is being collected is selectively illuminated.

However, prior art fails to teach or fairly suggest the apparatus and method wherein a wobble is controlled, and detector arrays are preferentially selectively illuminated, in said z-axis direction in the manner required by independent claims 1, 9, 13, and 21.

Claims 2-8, 10-12, 14-19, and 22-24 are allowed by virtue of their dependency upon Claims 1, 9, 13, and 21, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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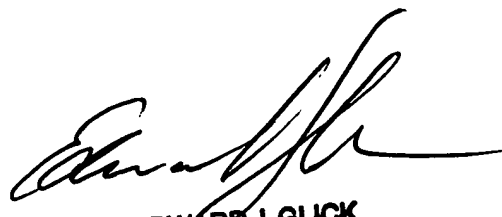
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anastasia Midkiff whose telephone number is 571-272-5053. The examiner can normally be reached on M-F 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on 571-272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ASM
4/6/06


EDWARD J. GLICK
SUPERVISORY PATENT EXAMINER


4/10/06